

Fred Davis, Esquire
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ATTORNEY FOR PLAINTIFF
 ESTHER POWERS

ESTHER POWERS
 115 Trenton Rd-Apt #22
 BROWNS MILLS, NJ
 08015

SUPERIOR COURT OF NEW JERSEY
 BURLINGTON COUNTY

Plaintiff

CIVIL LAW DIVISION

v.

CENTRAL CREDIT SERVICES,
 LLC
 9550 Reg. Sq Blvd-Ste 500
 Jacksonville, FL
 92123

DOCKET NO.:

Defendant

Civil Action

COMPLAINT

1. Plaintiff, ESTHER POWERS, is an adult individual citizen and legal resident of the State of New Jersey, living at 115 Trenton Rd-Apt #22, Browns Mills, NJ 08015.

2. Defendant, CENTRAL CREDIT SERVICES, LLC, is a business corporation qualified to and regularly conducting business in, the State of New Jersey, with its legal residence and principal place of business at 9550 Reg. Sq Blvd-Ste 500, Jacksonville, FL 92123. Defendant can be served at that address.

3. Plaintiff avers that at all times material hereto, Defendant acted by and through its authorized agents, servants, officers, and/or employees, including Defendant, all of whom were acting within the scope of their employment.

EXHIBIT

A

JURISDICTION AND VENUE

4. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy, or in any other court of competent jurisdiction”.

5. Defendant regularly conducts business in the State of New Jersey and in the County of Burlington County, therefore, personal jurisdiction is established.

6. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202.

PARTIES

7. Plaintiff is a natural person residing in New Gretna, New Jersey.

8. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3), as the debt(s) alleged to have been incurred by Plaintiff were acquired through the pursuit of consumer related activities, such as food shopping, purchasing clothes and other non-commercial pursuits.

9. Defendant, CENTRAL CREDIT SERVICES, LLC, is a company handling debt collection matters with headquarters located at 9550 Reg. Sq Blvd-Ste 500, Jacksonville, FL 32213.

10. Defendant is a debt collector as that term is defined by 15 U.S.C. §1692a(6), and sought to collect a consumer debt from Plaintiff. Defendant regularly identifies itself as a “debt collector” within meaning of 15 U.S.C. §1692a(6) in promotional materials, court filings, and communications with consumers.

11. Defendant acted through their agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,

representatives, and insurers.

FACTUAL ALLEGATIONS

12. On March 20, 2015, Defendant sent Plaintiff a letter purporting to be from "SYNCHRONY BANK". *See Exhibit "A"*. The letter stated that it was "AN IMPORTANT NOTICE REGARDING YOUR DELINQUENT ACCOUNT". *See Exhibit "A"*

13. Defendant's letter stated only that it pertained to "Account Number Ending in: 3858", and did not identify the account name or the amount of the alleged debt. *Id.*

14. Plaintiff alleges and avers that Defendant misrepresented the amount, nature and legal status of the alleged debt by failing to specify an amount of the alleged debt, and thereby violated 15 U.S.C. §1692e. *Id.*

15. Plaintiff further alleges and avers that Defendant misrepresented the source of the letter, as Defendant attempts to make it seem as if the letter was sent by Synchrony when in fact it is from Defendant, in violation of 15 U.S.C. §1692e. *Id.*

16. Plaintiff alleges and avers that Defendant violated 15 U.S.C. §1692(c)(a)(1) and (d), by making or being caused to be made repeated and continuous phone calls to Plaintiff and unrelated third-parties attempting to collect the alleged "debt" at irregular times, and by failing to identify itself during said calls.

COUNT I
THE FAIR DEBT COLLECTION PRACTICES ACT

17. In its actions to collect a disputed debt, Defendant violated the FDCPA in one or more of the following ways:

- a. Harassing, oppressing or abusing Plaintiff in connection with the collection of a debt in violation of 15 U.S.C. § 1692(d).
- b. Using misrepresentations or deceptive means to collect a debt in violation of 15 U.S.C. § 1692(e)(10).
- c. Using unfair or unconscionable means to collect a debt in violation of 15 U.S.C. § 1692(f).
- d. Attempting to collect an amount not authorized by contract or law in violation of 15 U.S.C. § 1692(f).
- e. By acting in an otherwise deceptive, unfair and unconscionable manner and failing to comply with the FDCPA.

WHEREFORE, Plaintiff, ESTHER POWERS, respectfully prays for a judgment as follows:

- a. All actual compensatory damages suffered pursuant to 15 U.S.C. § 1692(k)(a)(1) and statutory damages of \$1,000.00 for the aforementioned violation(s) of the FDCPA pursuant to 15 U.S.C. § 1692(k)(a)(2)(A);
- c. All reasonable attorneys' fees, witness fees, court costs and other litigation costs incurred by Plaintiff pursuant to 15 U.S.C. § 1692(k)(a)(3);

DAVIS CONSUMER LAW FIRM

By: 

Fred Davis-NJ ID# 025812004
Attorney for Plaintiff, ESTHER POWERS
500 Office Center Drive-Suite 400
Ft. Washington, PA 19034
Tel - 1-855-432-8475/Facsimile-1-855-435-9294
Email: fdavis@usacreditlawyer.com

JURY-DEMAND

Plaintiff hereby demands a trial by jury as to all the issues

Respectfully submitted,

DAVIS CONSUMER LAW FIRM

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CERTIFICATION PURSUANT TO R.4:15-1

Upon knowledge and belief I hereby certify that there are no other actions or arbitrations related to this suit pending or presently contemplated.

Respectfully submitted,

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CERTIFICATION OF NOTICE

Pursuant to N.J.S.A. 56:8-20 Plaintiff is mailing a copy of this Complaint to the Office of the Attorney General, Richard J. Hughes Justice Complex, 25 West Market Street in the City of Trenton, County of Mercer, in the state of New Jersey on May 8, 2015.

Respectfully submitted,

DAVIS CONSUMER LAW FIRM

By: 

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Attorney for Plaintiff, ESTHER POWERS
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RULE 4:5-1(c) DESIGNATION

Defendant hereby designates Fred Davis as trial counsel in the instant matter.

Respectfully submitted,

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SYNCHRONY BANK
P.O. BOX 965022
ORLANDO, FL 32896-5022

March 20, 2015

ESTHER D POWERS
115 TRENTON RD APT 22
BROWNS MILLS NJ 08015-3242

41519
F103



Account Number Ending In: 3858

CALL Central Credit Services, LLC

1-877-861-1415

This is an important notice regarding your delinquent account. Call the number above as soon as possible to discuss your payment options. Failure to respond promptly could result in further steps being taken to collect the debt.

Dear Esther D Powers,

Your Walmart Credit Card account is now severely past due. Multiple attempts have been made to reach you. Please call to discuss payment options before we take additional steps to collect this debt.

For details, **please respond by April 9, 2015**. For more information on payment options, call the number above today.

If you do not respond, we will consider all options permitted by applicable law to pursue collection of this debt.

To resolve this issue, contact Central Credit Services, LLC, the collection agency handling your account, at 1-877-861-1415.

If you have disputed this debt, please disregard this letter.

Sincerely,

SYNCHRONY BANK

P.S. Don't delay, call 1-877-861-1415 today to discuss payment options.

4 A

This is an attempt to collect a debt and any information obtained will be used for that purpose.
Account is owned by SYNCHRONY BANK